

BROOKVILLE CITY COUNCIL
REGULAR MEETING
November 18, 2003

The Regular Meeting of the Brookville City Council was called to order by Mayor Imler at 7:30 p.m. on November 18, 2003 in the City Council Chambers. The pledge of allegiance was recited. Members Duncan, Garber, Sanders, Seagraves, Trimble and Ullery; Manager Wright, Assistant Manager Sewert, Law Director Stephan, Fire Chief Nickel, Police Chief Preston and Director of Finance/Clerk Keaton were present.

Motion by Seagraves, second by Duncan to accept the Agenda as presented. All yeas, motion carried.

Motion by Duncan, second by Sanders to accept the November 4, 2003 Regular Meeting Minutes as presented. All yeas, motion carried.

Tom McDougall, of McDougall Associates, requested approval of Arlington Woods, Section Two, consisting of 17 lots. Mr. McDougall commented this section is zoned R-1B, but the lots are larger than what is required for R-1B zoning, due to the market requesting larger lots. Mr. McDougall stated Section Two will have sump pumps behind the curbs, along with two dry detention areas within this section. Mr. McDougall commented the covenants are identical to those in Section One. Discussion followed.

Motion by Garber, second by Trimble to approve the Final Plat for Arlington Woods, Section Two as presented, and as recommended and approved by the Brookville Planning Commission, contingent on the final approval of the construction plans by the City Manager and City Engineer, and the posting of a Performance Surety with the Finance Director that meets the requirements of the Brookville Design Criteria and Subdivision Regulations. Garber yea, Trimble yea, Ullery yea, Seagraves yea, Duncan abstains, Sanders yea and Imler yea. Motion carries with six yeas and one abstention.

Robert Bailey, of 346 Maple Street, submitted pictures and a narrative of his conversations with several city officials on the way his curb was torn away during the Street Repaving Program this year. Manager Wright commented that the curb will be fixed soon, weather permitting.

Manager Wright reported there will be an increase in cable fees effective January 1, 2004. Manager Wright commented Council should have a copy of a letter of Time Warner Cable's plans to begin deploying its new Digital Phone service throughout its Ohio service areas over their existing cable television facilities. Time Warner Cable is in the process of applying for authority from the PUCO to offer voice services throughout the state. A representative will be present at a later Council meeting to go over cable rates and the services available in Brookville.

Manager Wright requested approval to enter into a contract with the Montgomery County Public Defender for 2003.

Motion by Ullery, second by Duncan to authorize Manager Wright to enter into a contract with the Montgomery County Public Defender for 2004, at a cost of \$98.17 per case for which the Public Defender provides representation, as recommended by Manager Wright. All yeas, motion carried.

Manager Wright requested approval to enter into a two-year contract with the Montgomery County Animal Shelter at a cost of \$7.21 per day for boarding of cats, \$9.27 per cat disposal, \$10.30 per average size carcass disposal and \$17.51 per oversized carcass disposal, with slight increases for each in 2005.

Motion by Duncan, second by Garber to authorize Manager Wright to enter into the two-year contract with the Montgomery County Animal Shelter as presented. All yeas, motion carried.

Manager Wright reported the leaf pickup program is going well. The program should end in two to three weeks.

Manager Wright requested a brief work session after the Regular Council meeting to go over proposed projects and equipment purchases for 2004.

Fire Chief Nickel reported he attended CERT training today. The Fire Department has received good response on the CERT Program. Fire Chief Nickel commented the first CERT class will be held in February.

Police Chief Preston presented an overview of the Incident List and the Brookville Police Department Time Analysis from November 4, through November 17, 2003. Chief Preston reported there were 319 calls for service in this time period. Chief Preston reported the number of reportable incidents are down eight reports, or 1% and the total calls handled are up 1,303, or 25% from this same time last year.

Law Director Stephan had no report, but requested an Executive Session on a Personnel Matter.

Finance Director/Clerk Keaton reported there will be a vacancy on Council effective January 1, 2004 and requested Council authorization to announce the vacancy in the Brookville Star.

Motion by Duncan, second by Garber to authorize Clerk Keaton to advertise the open seat on Council, effective January 1, 2004, with the interview of Council candidates to be held on Monday, January 5, 2004, beginning at 7:30 p.m. All yeas, motion carried.

Clerk Keaton reported she was contacted by the County Board of Elections with the Council election results. There was a tie between Rhonda Hanos and Darrell Reel, for the third position on Council. A coin flip was held by the Directors of the Board of Elections, with Rhonda winning the coin flip. There is a mandatory recount set for November 25, with that recount being certified to the Directors the following day. If the recount remains tied, Rhonda will be the new Council Member.

Mayor Imler read aloud a letter that was written by a middle school student offering his suggestions on a recreational center for the community.

Mayor Imler gave her report with the following action.

Motion by Garber, second by Duncan to reappoint Ken Claggett and Dottie Watkins to the Planning Commission for a three-year term and David Monnin to Park Board for a four-year term, with all terms beginning January 1, 2004. All yeas, motion carried.

Motion by Garber, second by Sanders to authorize Clerk Keaton to advertise the open position on the Zoning Board of Appeals effective January 1, 2004 for a five-year term. All yeas, motion carried.

Motion by Duncan, second by Garber to read proposed Resolution No. 03-22. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the second reading of proposed Resolution No. 03-22. All yeas, motion carried.

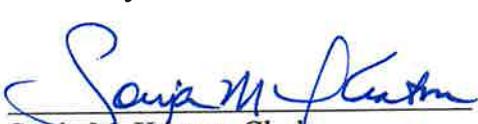
Motion by Duncan, second by Ullery to read proposed Resolution No. 03-23. All yeas, motion carried.

Motion by Duncan, second by Garber to accept the first reading of proposed Resolution No. 03-23. All yeas, motion carried.

Motion by Duncan, second by Trimble to go into Executive Session on a Personnel Matter as requested by Law Director Stephan. All yeas, motion carried.

Mayor Imler called Council back into Regular Session.

Motion by Duncan, second by Garber to adjourn. All yeas, motion carried.


Sonja M. Keaton, Clerk


Carole A. Imler, Mayor